

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

DESMOND GRIFFIN  
P.O. Box 122  
Sunderland, Maryland 20689

and

YVETTE GRIFFIN  
P.O. Box 122  
Sunderland, Maryland 20689

Plaintiffs

v.

DAVID GATTON, Individually  
and as a sheriff in the Calvert  
County Sheriff's Office  
The Calvert House  
30 Church Street  
Prince Frederick, Maryland 20678

and

GARY SHRAWDER, Individually  
and as a sheriff in the Calvert  
County Sheriff's Office  
The Calvert House  
30 Church Street  
Prince Frederick, Maryland 20678

and

CHRISTOPHER CHILDRESS,  
Individually and as a sheriff in  
the Calvert County Sheriff's Office  
The Calvert House  
30 Church Street  
Prince Frederick, Maryland 20678

Defendants

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**DKC07CV1756**

Civil Action No: \_\_\_\_\_

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**NOTICE OF REMOVAL**

David Gatton, Gary Schrawder, and Christopher Childress, Defendants, by KARPINSKI, COLARESI & KARP and DANIEL KARP, their attorneys, file this Notice of Removal in the above-entitled action pursuant to 28 U.S.C. Sections 1331, 1441, and 1446, from the Circuit Court for Calvert County, as follows:

1. Plaintiffs initiated this lawsuit by filing a Complaint and Election of Jury Trial in the Circuit Court for Calvert County on May 11, 2007 against Calvert County Deputy Sheriffs David Gatton, Gary Shrawder and Christopher Childress. A copy of the docket entries, the Plaintiffs' Complaint, and all other papers filed in the Circuit Court for Calvert County are attached hereto.<sup>1</sup>

2. The Complaint asserts seven claims against the Defendants. Count VII asserts a federal constitutional claim under 42 U.S.C. Section 1983. The rest of the counts assert state constitutional and common law claims.

3. Inasmuch as Count VII asserts federal constitutional claims, this Court has federal question jurisdiction pursuant to 28 U.S.C. Section 1343. The Court also has supplemental jurisdiction over the state law claims pursuant to 28 U.S.C. Section 1367.

4. Defendants were served on or about June 13, 2007. All Defendants join in

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<sup>1</sup> Defense counsel has been advised that Deputy Schrawder was served, but a summons directed to him has apparently not been received.

this Notice of Removal, which is being filed within thirty days of service on Defendants.

WHEREFORE, Defendants give notice to Plaintiffs and to the Circuit Court for Calvert County that this case has been removed to the United States District Court for the District of Maryland, and that no further proceedings may be had in the Circuit Court for Calvert County. A copy of defense counsel's notice to the Clerk of the Circuit Court for Calvert County to this effect is attached hereto.

KARPINSKI, COLARESI &amp; KARP

BY: \_\_\_\_\_ /s/  
DANIEL KARP, 00877  
Suite 1850  
120 E. Baltimore Street  
Baltimore, Maryland 21202  
(410) 727-5000  
Attorney for Defendants

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3<sup>rd</sup> day of July, 2007, a copy of the foregoing Notice of Removal was filed, with notice to:

Michael C. Lind, Esquire  
Schulman, Treem, Kaminkow,  
Gilden & Ravenell, P.A.  
The World Trade Center, Suite 1800  
401 East Pratt Street  
Baltimore, Maryland 21202

\_\_\_\_\_/s/\_\_\_\_\_  
Of Counsel for Defendants